

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICHARD DEEDS,)	3:14-cv-00138-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	January 6, 2016
)	
ROMEO ARANAS, et al.,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion to Compel Production of Unredacted Documents/Things: (1) Incident Report #2013-LCC-000542; (2) Recording of Institutional Disciplinary Proceedings." (ECF No. 81.) Plaintiff states these items are essential to his case. (*Id.* at 1.) Defendants have responded. (ECF No. 86.) Defendants contend Plaintiff's motion should be denied because the items Plaintiff requests have been previously produced and have not been redacted or edited. (*Id.* at 1.) No reply was filed by Plaintiff.

As to Plaintiff's request for the unredacted incident report, Defendants state: "Plaintiff assumes the report has been improperly redacted because portions of it are blank. This assumption is incorrect. The incident report was downloaded by the Office of the Attorney General from the NDOC's NOTIS database" and the AG "does not have the ability to modify the report within the system." The report originally produced to Deeds (Exh. A to Defendants' response, ECF No. 86-1) is the same as it was when entered into the NOTIS database. Additionally, Defendants state the full report would have been filled out if a formal investigation had been launched, but that did not occur. (ECF No. 86, at 2.)

As to the request for unredacted recordings, Defendants' response indicates the recordings have been previously produced to Plaintiff. (ECF No. 86 at 3.) However, Defendants re-sent the relevant recordings to Plaintiff to insure he has had the opportunity to review them (Exh C, ECF No. 86-3) and Plaintiff has had the ability to review them (Exh D, ECF No. 86-4). Defendants state

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what may have been confusing to Plaintiff is that both recordings “start with Defendant Donnelly stating, ‘this is a continuation of disciplinary hearing’ and referencing an additional recording. However there are no other recordings for this disciplinary hearing in NOTIS.” (*Id.* at 3, fn. 1.)

Thus, it appears to the court that Plaintiff has received the documents which were “essential to his case.” Plaintiff did not reply to the Defendants response to his motion to compel with further argument, but instead requested and received an extension from the court to respond to the Defendants’ motion for summary judgment. (ECF Nos. 90, 92.) The court therefore assumes that Plaintiff is satisfied with the explanation provided by Defendants.

Plaintiff’s motion to compel (ECF No. 81) is **DENIED AS MOOT**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____/s/
Deputy Clerk